

REMARKS

Claims 1-23 are pending in the above-identified application. Claims 1-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,822,790 to Mehrotra in view of U.S. Patent No. 5,303,149 to Janigian.

The Office action states:

Mehrotra does not teach the determining of the existence of data redundancy in the prefetch data or the transmitting of a reduced set of prefetched data, said reduced set comprising a smaller memory footprint than said prefetch data. However, Janigian teaches the determining the existence of data redundancy in the prefetch data (col. 13, lines 19-44) and the transmitting of a reduced set of data (col. 2, lines 37-46). It would have been obvious to one of ordinary skill in the art at the time of the invention at the time of the invention the invention was made to combine the teachings of Janigian with the teachings of Mehrotra because Janigian's methodology of determining the existence of redundant data and transmitting reduced sets of data eliminates the sending of data repetitively. One with ordinary skill in the art at the time of the invention would have been motivated to do so because it reduces the amount of unnecessary work done by the system.

(June 6, 2003 Office action, pg. 3).

Janigian, at col. 13, ll. 19-44, states:

1. A method of creating lists comprising the steps of:
creating a file, said file comprising a plurality of records, each record including a name
and address of an individual,
selecting portions of each record,
making a first comparison between a first predetermine portion of a first record and a first
predetermined portion of at least one second record to determine if said first
portions match,
if said first portions do not match, making a subsequent comparison between a second
predetermined portion of said first record and a second predetermined portion of
said at least one second record to determine if said second portions match,
if said first portions do match, making a subsequent comparison between a third
predetermine portion of said first record and a third predetermined portion of said
at least one second record to determine if said third portions match,
identifying at least one duplicate record in said file when a predetermined combination of
said first, second, and third portions match,
eliminating identified duplicate records from said file and creating a second file of unique
records, wherein no two unique records identify the same individual, . . .

The above cited passage of Janigian, however, does not disclose “determining the existence of data redundancies in said prefetch data,” as recited in claims 1 and 11. Specifically, “prefetch data” is not mentioned anywhere in the cited passage. The cited passage only discloses comparing records already in the file. In fact, “prefetch data” is not mentioned anywhere in Janigian. Additionally, Janigian merely discloses a “program that identifies duplicate records even though key elements of the records . . . differ.” (Abstract). Thus, Janigian may consider two records to be duplicates of one another even when data elements in the two records differ. Consequently, Janigian’s definition of “duplicate” differs from the ordinary dictionary definition of the term. Hence, Janigian fails to disclose “determining the existence of data redundancies in said prefetch data,” as recited in claims 1 and 11.

Janigian further states at col. 2, ll. 37-46:

In order to avoid sending duplicate solicitation letters and duplicate drafts, the method of the present invention utilizes a novel computer program for creating an managing contributor lists. The program of the present invention performs a series of tests that are designed to identify two records as duplicates even if certain elements of the match codes in the two records do not match exactly (e.g., where the name, address or last two positions of the zip code in either record has been miskeyed).

The above cited passage of Janigian, however, does not disclose “transmitting a reduced set of prefetch data, said reduced set comprising a smaller memory footprint than said prefetch data,” as recited in claims 1 and 11. In particular, the cited passage only discloses that the motivation of the computer program is to avoid sending duplicate solicitation letters and duplicate drafts, “prefetch data” is not mentioned at all. As discussed above, Janigian does not disclose “prefetch data” anywhere. Therefore, Janigian also fails to disclose “transmitting a reduced set of prefetch data, said reduced set comprising a smaller memory footprint than said prefetch data,” as recited in claims 1 and 11.

Accordingly, even if Mehrotra and Janigian were combined, the combination neither teaches nor suggests “determining the existence of data redundancies in said prefetch data” or “transmitting a reduced set of prefetch data, said reduced set comprising a smaller memory footprint than said prefetch data,” as recited in claims 1 and 11. Based at least on the above reasons, applicants respectfully submit that claims 1 and 11 are patentable over Mehrotra in view of Janigian. Given that claims 2-10 and 12-22 depend from claims 1 and 11, respectively, it is respectfully submitted that those claims are patentable over Mehrotra in view of Janigian for at least the same reasons.

Claim 23 recites “determine the existence of data redundancies in said prefetch data” and “transmit a reduced set of prefetch data, said reduced set comprising a smaller memory footprint than said

prefetch data.” As discussed above with respect to claims 1 and 11, Mehrotra and Janigian, either alone or in combination, do not disclose or suggest “determine the existence of data redundancies in said prefetch data” and “transmit a reduced set of prefetch data, said reduced set comprising a smaller memory footprint than said prefetch data,” as recited in claim 23. Thus, it is respectfully submitted that claim 23 is patentable over Mehrotra in view of Janigian based at least on the reasons above.

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,

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